

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA**

In re: ) Bankruptcy Case No. 17-1098-dd  
 ) Chapter 13  
 **Ruth Anne Torchia,** )  
 ) **Consent Order Modifying the Confirmed Plan**  
 )  
 \_\_\_\_\_ Debtor. \_\_\_\_\_ )

On February 5, 2018, Ruth Anne Torchia (“Debtor”) filed a Motion to Sell (“Motion”), involving real property at 923 Red Fox Run (“Property”). This Motion was amended February 20, 2018 (“Amended Motion”). The value of the Property was scheduled at \$15,000. The Amended Motion indicates that property will be sold for \$60,000. Debtor has no unused exemptions available and anticipates receiving approximately \$22,000 from the sale of the property, as there is a pre-petition construction agreement for the work done on the property totaling approximately \$38,000. Due to this increase in equity, Pamela Simmons-Beasley, the chapter 13 trustee (“Trustee”) and the debtors’ attorney consent to modify the confirmed plan to pay 100 percent plus interest to unsecured creditors. The payoff amount is approximately \$24,470, which represents a sum sufficient to pay all allowed unsecured claims with interest. This increase to unsecured creditors will not necessitate an increase in Debtor’s plan payments.

Based upon the foregoing stipulated facts and pursuant to 11 U.S.C. § 1329(a)(2), which allows a confirmed plan to be modified to increase the payment upon the request of the debtor or the trustee, it appears that there is a proper reason for the confirmed plan to be modified. The plan filed April 4, 2017, with a base plan amendment filed August 2, 2017, and confirmed August 30, 2017, is modified to pay 100 percent plus interest.

**AND IT IS SO ORDERED.**

I consent:

/s/ Katherine L. Rea

Katherine L. Rea, Esquire  
Attorney for Pamela Simmons-Beasley  
Chapter 13 Trustee

I consent:

/s/ Jason Moss

Jason Moss, Esquire  
Attorney for Ruth Anne Torchia